

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

COMMONWEALTH OF VIRGINIA)	CASE NOS: CR03-3089; 3090 & 3091
VERSUS)	
LEE BOYD MALVO a/k/a John Lee Malvo)	INDICTMENT - CAPITAL MURDER - 2 Counts and USING A FIREARM IN THE COMMISSION OF A FELONY

JURY TRIAL- Day 10

On November 24, 2003, Robert F. Horan, Jr., the Commonwealth's Attorney, Raymond Morrogh, the Deputy Commonwealth's Attorney, LEE BOYD MALVO a/k/a John Lee Malvo, the Defendant, Michael Arif and Craig Cooley, co-counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felonies of CAPITAL MURDER - 2 Counts and USING A FIREARM IN THE COMMISSION OF A FELONY and he appeared while in custody.

The Jurors took their place in the Jury Box. The Jury proceeded to hear the remainder of the Commonwealth's evidence.

At the conclusion of the evidence presented, Mark Petrovich, co-counsel for the Defendant moved the Court to strike the evidence presented by the Commonwealth. The Court, after hearing argument, denied the motion.

The Jury was recalled and heard some of the evidence presented on behalf of the Defendant.

The Court, being of the opinion that this case could not be completed today, admonished the jurors as to their behavior during the recess and continued this case to November 25, 2003, at 10:00 a.m.

The Defendant was remanded to the custody of the Sheriff.

Entered on November 24, 2003.

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JANE MARUM ROUSH
JUDGE DESIGNATE